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Date: 10/19/04


Warren A. Sklar

Case No: DBMOP102USB

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicant: Minneman et al.

Examiner: Sikder, Mohammad

Serial No.: 10/053,751

Art Unit: 2872

Filing Date: January 21, 2002

Title: MITIGATING THE EFFECTS OF MINIATURIZING INTEGRATING SPHERES
FOR FIBER OPTIC MEASUREMENT

Commissioner for Patents
Box 1450
Alexandria, Virginia 22313-1450

APPLICANTS' COMMENTS ON REASONS FOR ALLOWANCE and
Interview Summary

The Examiner's statement of reasons for allowance attached to the Notice of Allowability are noted. It appears the Examiner referred to language contained in independent claim 6, for example. However, it is noted that there are other independent claims and dependent claims that do not include such language and that are patentable at least for the reasons previously expressed of record and/or in view of language set forth in those claims.

Commenting on telephone interview referred to in the Interview Summary that is attached to the Notice of Allowability, during the telephone interview with Examiner Sikder on August 17, 2004, not only was the Balster et al. U.S. Patent No. 6,737,637



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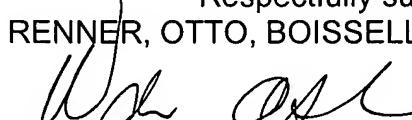
discussed, but also Ducharme et al. U.S. Patent No. 5,997,155 was discussed. The Balster et al. patent includes an element between the light inlet and light outlet, and some light reflected from that element would reach the light outlet; and for at least that reason the language referred to by the Examiner in the Reasons For Allowance clearly distinguishes over that reference. The Ducharme et al. patent shows the light inlet and light outlet in alignment such that the language referred to by the Examiner in the Reasons For Allowance also is not met by that reference.

As for claim 39, which was discussed during the interview, neither of the just-mentioned patents discloses "the light inlet, light outlet and walls cooperate such that substantially all light passing to the light outlet for detection is directly from reflection by the walls of the spherical volume."

Claim 49 was discussed during the interview. The Examiner indicated that claim 49 is directed to a method invention that was subject to a restriction requirement. Claim 49 was canceled in response to the oral restriction requirement, and the applicants reserve the right to file a divisional patent application including claim 49 and/or any of the other canceled claims.

Respectfully submitted,
RENNER, OTTO, BOISSELLE & SKLAR, LLP

DATE: 10/19/04



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